

REMARKS

In an Office action mailed on December 29, 2005, the Examiner: (1) rejected claims 9-11 and 21-22 under 35 U.S.C. § 102(e) as anticipated by U.S. Pat. No. 6,329,708 to Komiyama ("Komiyama"); (2) rejected claims 1-4, 12, 16-18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Komiyama in view of U.S. Pat. No. 6,588,095 to Pan ("Pan"); (3) rejected claims 5-8, 13-15, 20, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Komiyama in view of Pan as applied to claim 1, and further in view of U.S. Pat. App. Pub. No. 2003/0016710 to Komoto ("Komoto"); (4) rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Komiyama in view of Pan as applied to claim 1, and further in view of U.S. Pat. No. 6,803,651 to Chiang ("Chiang"); and (5) apparently rejected claim 25 (see the Office Action Summary stating that claim 1-25 are rejected), but without providing any basis, explanation or rationale for such rejection. The Examiner made the rejections final.

By this response, Applicants respectfully seek allowance of pending claims 1-27 for at least the reasons given below.

Preliminary Remarks

In applying Komiyama, the Examiner characterized "insulating layer" 709b and 709a shown in Fig. 8 of Komiyama as "a first form standard" and "a second form standard" respectively. This conclusory and unfounded assertion is the only basis offered by the Examiner for the allegation that Komiyama discloses a "form standard." Absolutely no explanation is provided that would support the conclusion that a person of ordinary skill in the art, in light of the entire specification of this application, would understand an "insulating layer" to be within the meaning of the term "form standard."

Rather than viewing the term “form standard” as a person of skill in the art would, the Examiner instead makes a wholly unreasonable interpretation that a “form standard” can be one of the components of a tape such as disclosed in Komiyama. The Examiner then dissects the *three-layer tapes* 708a and 708b of Komiyama to allegedly find “form standards” 709a and 709b (which actually are insulating layers of the tapes) and a “flex circuit” comprising only the conductive layers 710a and 710b and the *other* insulating layers 713a and 713b of the tapes.

The Examiner’s dissection of the flexible tape of Komiyama into alleged “form standards” and “flex circuits” clearly violates the interpretive limitations on the Office illustrated by In re Royka, 490 F.2d 981, 984 (CCPA 1974) (“Claims are not to be read in a vacuum and while it is true they are to be given the broadest reasonable interpretation during prosecution, their terms still *have to be given the meaning called for by the specification of which they form a part.*”) (emphasis added). In rejecting the pending claims, it is impermissible for the Examiner to simply look at the cross-section illustrations of Komiyama, find various structures with apparent geometric similarities to entirely different structures illustrated in the pending application, and find a correspondence based on the geometric similarities. There simply is no reasonable interpretation of the term “form standard” that includes a component of a flexible tape. E.g., Phillips v. AWH Corp., 415 F.3d 1303, 1314 (Fed. Cir. 2005) (en banc) (reaffirming that a claim term is generally given the *ordinary and customary meaning* that the term would have to a person of ordinary skill in the art in question at the time of the invention).

The examiner also inexplicably characterized “thin film” 19 of Pan as a “form standard.” However, the “thin film” 19 of Pan is a component *applied to a physical form* such as bonding beam 16 or bonding beam 53 by plating. E.g., Pan, col. 3, ll. 33-39, 49-57; col. 4, ll. 46-49. In contrast, the “form standard” of the present invention “*provides* a physical form.” Written

Description ¶ 0012. There simply is no reasonable interpretation of the term “form standard” that includes a “thin film” formed by “plat[ing] with a polymer using electrophoresis.” E.g., Pan, col. 3, ll. 37-39.

Claim Amendments

In order to present the rejected claims in better form for consideration on appeal, Applicants request entry of the amendments to claims 1, 9, 18, and 21 and addition of new claims 26 and 27 as set forth in the **Listing of Claims** section of this paper. The requested amendments present the rejected claims in better form for consideration on appeal by reciting in the amended claims certain features of the flex circuitry described in the written description.

The requested claim amendments are fully supported by the written description and do not introduce any new matter. As explained by the written description in this application, the disclosed flex circuits can have a single conductive layer “with such features as covercoats on one, both or neither side,” or the flex circuits can have at least two conductive layers. Written Description ¶ 0036.

Pursuant to the requested amendments, independent claims 1, 9, 18, and 21 each recites flex circuitry comprising “a first side and a second side and a covercoat on each of the first and second sides.” Neither Komiyama nor Pan disclose a form standard and flex circuitry comprising a first side and a second side and a covercoat on each of the first and second sides.

Also pursuant to the requested amendments, new independent claims 26 and 27 each recites “flex circuitry comprising at least two conductive layers.” New claim 26 corresponds to amended claim 1, with a substitution of “flex circuitry comprising at least two conductive layers” for “flex circuitry comprising a first side and a second side and a covercoat on each of the first and second sides.” New claim 27 corresponds to amended claim 21, with the substitution of flex

circuitry "comprising at least two conductive layers" for flex circuitry "comprising a first side and a second side and a covercoat on each of the first and second sides." Neither Komiyama nor Pan disclose a form standard and flex circuitry comprising at least two conductive layers.

Claims 1, 9, 18, 21, 26, and 27 are the only independent claims in the application. Because Komiyama does not disclose each of the elements of claims 9 or 21, Komiyama cannot anticipate claims 9-11 and 21-22 as alleged by the Examiner. The combination of Komiyama and Pan does not disclose each of the elements of claims 1, 9, 18, 21, 26, or 27, nor does the combination of Komiyama and Pan along with Komoto or Chiang. Thus, each of claims 1-27 pending in this application are patentable over Komiyama in view of Pan, and further in view of either Komoto or Chiang. MPEP § 2143.03 ("If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious."). Accordingly, Applicants respectfully request entry of the proposed amendments and issuance of a notice of allowance for claims 1-27 at the Examiner's earliest convenience.

CONCLUSION

The December 29, 2005 Office action contains a number of statements potentially reflecting characterizations of various claims, supporting descriptions, and/or patent or patent application references. Regardless of whether any such statements are addressed in this response, Applicants decline to automatically subscribe to any statement or characterization in the Office action. Although the Examiner's rejection of claims 1-27 has been completely traversed as set forth above without reference to many of such statements, Applicants hereby expressly reserve the right to dispute such statements later.

Applicants have responded within two months of the mailing of the final Office action. In view of the amendments presented herein, Applicants respectfully submit that they are justly entitled to the Examiner's entry of the presently amended claims, consideration of the presently amended claims, and allowance of the presently amended claims.

The Commissioner is hereby authorized to charge any extension or other fees deemed to be due or to credit any overpayment to Deposit Account No. 50-3434, upon which the undersigned is authorized to sign.

Respectfully submitted,

ANDREWS KURTH LLP

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By: 

J. Scott Denko
Registration No. 37,606
111 Congress Avenue
Suite 1700
Austin, Texas 78701
Telephone: (512) 320-9200
Facsimile: (512) 320-9292